

THE HONORABLE JUDGE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

MARYBRIGIT SCOTT, et al

Plaintiffs,

vs.

CITY OF BAINBRIDGE ISLAND, et al

Defendants

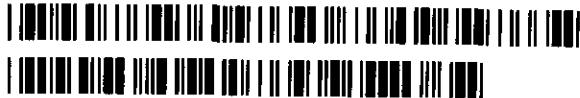
CAUSE NO. C97-5329RJB

DECLARATION OF
MARYBRIGIT SCOTT

I hereby declare the following to be true and correct under penalty of perjury pursuant to the laws of the State of Washington.

1. I, Marybright Scott, am the plaintiff in the above-entitled action and guardian for Annieka McCullough.
2. The attached is a letter of engagement along with copies of some of the original documents.
3. During the course of litigation, I paid for the costs, including filing fees, costs of some of the depositions, service of process, etc. These costs amounted to \$1,736.25 for transcripts, \$360.00 for depositions, \$120.00 for filing, approximately \$180.00 for process of service, and, approximately miscellaneous charges of \$555.22 (for

LONGACRE AND ADAMS LAW OFFICE
569 Division St, Suite F
Port Orchard, Washington 98366
(360) 876-7290, fax (360) 876-0204



CV 97-05329 #00000173

ORIGINAL

113

1 copy costs, postage, and fax costs). My attorney, Clayton Longacre, fronted another
2 \$2,248.96 for transcripts of depositions

3 4. The depositions were needed in order to serve and/or respond to defendant's
4 Summary Judgment motions.

5 5. This case arose because the police believed ludicrous accusations of drugs being
6 stored or sold from my house. My family, especially my daughter, Annieka, and I
7 were terrorized by the police.

8 6. When the Court granted partial summary judgment to the defendants it undercut the
9 majority of our claims and grievances. When the appellate court refused to reinstate
10 those claims I felt it best that my daughter and I give up expecting to find justice in
11 court. As a mother, I felt it best to simply get what we could to pay off the debts of
12 litigation, provide Mr. Longacre with some compensation for his untold hours in
13 this case, and move on with our lives.

14 7. I have never used drugs in my life and I never will. My daughter, now age 13, has
15 committed herself to the same. We both will never forgive the actions of the
16 officers. They made it clear in their depositions that they had no remorse. Indeed,
17 they remained arrogantly convinced they had only arrived at the wrong time. The
18 law enforcement officials never sought any charges against the person who
19 obviously gave false information.

20 8. We have also come to accept that in America, terror by government officials sworn
21 to uphold the Constitution will always be protected by the courts.

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1 9. Please sign this order and end this case so we may put this memory behind us. I
2 intend to pay what I owe and use the remainder to buy a house for Annie (my
3 daughter) and I.

4 I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE
5 STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT TO THE
6 BASE OF MY KNOWLEDGE.
7

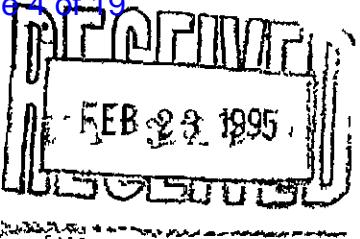
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9 Signed at Port Orchard, Washington this 1st day of August, 2002

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11 Marybright Scott
12 Marybright Scott
13 Declarant / Plaintiff

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CLAYTON ERNEST LONGACRE

Attorney at Law
1683 S.W. Bay Street
Port Orchard, Washington 98366
(360) 876-7290 Phone
(360) 876-0204 Fax

February 10, 1995

Marybrigit Scott/Guardian Annieska McCullough *Cl M&*
1315 Cambrian Street
Bremerton, WA 98312

Re: Police Raid of House
1/9/95

Dear Marybrigit:

Cl M& and your daughter Thank you for expressing interest in retaining me to represent you in connection with the above referenced matter. The purpose of this letter is to inform you of the terms of my engagement and confirm that you wish to retain me.

It has been my experience that a new client may have questions about the general procedures employed by the law firm he or she engages. It is my policy to ensure, so far as possible, that at the onset of an engagement my new clients understand and are comfortable with the standard practices of my firm. *M&*

and your daughter Cl I will be representing you in your civil claims against the police agencies involved (and/or their officers) and Ron Johnson in this matter. I understand that you suffered significant emotional distress stemming from this incident and that your daughter Annie is being evaluated as well. We will soon forward you a letter to engage my office on her behalf if you wish to do so.

I will be the attorney for this matter, and Claire Cheng will be responsible for performing paralegal services on your behalf on a day-to-day basis. Where appropriate, I may use other lawyers, paralegals or various other professionals to achieve economies, take advantage of specialized skills or experience or for other reasons that appear appropriate. I will report significant developments to you at the above address.

This representation will be on a contingency fee basis. The contingency fees will be 40% if settlement is reached before trial, 45% with a trial, and 50% if an appeal is undertaken. You will be responsible for all filing and witness fees and other non-attorney fee costs.

Some of these fees may need to be paid before the resolution of your claim or to allow us to proceed on your claim. Where fees must be paid in advance to proceed with your claim, we will contact you. Unpaid fees and costs will be subtracted from the total settlement or award amount before dividing the remainder according to the above arrangements.

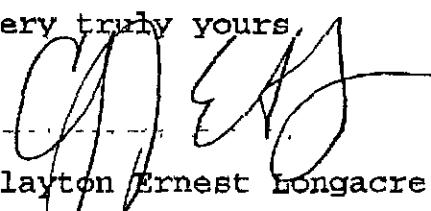
In the event that a settlement is accepted where the percentage named above is less than the attorney fees to date, my attorney fees will be taken from the settlement amount. For example, should you accept a settlement of \$2,000 when my attorney fees were \$1,000, I would be paid the full \$1,000 and you would keep the remainder once unpaid fees and costs were covered.

I will be remitting invoices for services rendered and costs on a monthly basis. Attorney fees will be billed at the rate of \$100 an hour and paralegal fees at \$50 an hour. The purpose of this is to provide an exact accounting in case we are able to recover attorney fees in a civil suit.

I am very pleased to have the opportunity to act as your counsel in this matter. If you wish to engage me on the terms set out above, please sign and return this letter. Be sure to keep a copy for your records. Upon receipt of the signed letter, Claire Cheng will begin to contact the police agencies to obtain copies of reports on the incident.

If you have any questions, please do not hesitate to call me or any member of my staff.

Very truly yours,



Clayton Ernest Longacre

Contingent Fee Agreement

I wish to engage Clayton Ernest Longacre as my attorney in the claim described above and on the terms contained herein.

2/14/95

Dated

Marybrigit Scott
Marybrigit Scott
For herself and her daughter Annika
1315 N. Cambrian
Bremerton, WA
98312

**Sandra
Baker &
Associates**

Court Reporters
and Legal
Video Service

870 10th Lane, Fox Island Washington 98333

Tacoma 253 272 9288

Seattle 206 622 9919

Bremerton 360 373 9032

Olympia 360 352 0099

RECEIVED
AUG 03 1998
BY:

Bill To: Clayton E Longacre
Attorney at Law
2501 Mile Hill Drive Suite A-102
Port Orchard, Washington 98366

Date: August 1, 1998
Invoice No.: DG132

DESCRIPTION	AMOUNT
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SCOTT v BAINBRIDGE, ET AL.

Deposition of WILLIAM HUNT - July 31, 1998
 Deposition of SHANE BROOKS - July 31, 1998
 Deposition of NICHOLAS PATTERSON - July 31, 1998
 Deposition of STEVE WHYBARK - July 31, 1998

Appearance fee	\$220 00
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PAID IN FULL Check No. 1579

Thank you, Dorothy A. Geyer, CCR #537-72-1186

TOTAL: \$220.00

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Associates** Court Reporters
and Legal
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870 10th Lane, Fox Island Washington 98333

Tacoma 253.272.9288

Seattle 206.622.9919

Bremerton 360.373.9032

Olympia 360.352.0099

Fax 253.549.2918

RECEIVED
AUG 03 1998

Bill To: Clayton E Longacre
Attorney at Law
2501 Mile Hill Drive Suite A-102
Port Orchard, Washington 98366

Date: August 1, 1998
Invoice No: DG131

DESCRIPTION	AMOUNT
SCOTT v BAINBRIDGE, ET AL.	
Deposition of RON RUPKE - July 30, 1998	
Deposition of KEVIN JEPSON - July 30, 1998	
Appearance fee	\$140.00
<u>PAID IN FULL Check No. 1982</u>	

Thank you, Dorothy A. Geyer, CCR #537-72-1185

TOTAL: \$140.00

**Sandra
Baker &
Associates**

Court Reporters
and Legal
Video Service

870 10th Lane, Fox Island, Washington 98333

Tacoma 253 272 9288

Seattle 206 622 9919

Bremerton 360 373 9032

Olympia 360 352 0099

Fax 253,549 2918

Bill To: Clayton E. Longacre
Attorney at Law
2501 Mile Hill Drive Suite A-102
Port Orchard, Washington 98366

Date: September 2, 1998
Invoice No.: DG143

DESCRIPTION	AMOUNT
SCOTT v BAINBRIDGE ISLAND, ET AL.	
Deposition of KEVIN A. JEPSON - July 30, 1998	
Deposition of RONALD P. RUPKE - July 30, 1998	
Deposition of WILLIAM A. HUNT - July 31, 1998	
Deposition of SHANE J. BROOKS - July 31, 1998	
Deposition of NICHOLAS D. PATTERSON - July 31, 1998	
Deposition of STEVE C. WHYBARK - July 31, 1998	
One Copy (K. Jepson)	\$172.90
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (R. Rupke)	132.00
Exhibit copying	.25
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (W. Hunt)	168.30
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (S. Brooks)	409.20
Exhibit copying	5.25
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (N. Patterson)	112.20
Exhibit copying	.75
Mini-Transcript - COMPLIMENTARY	
Original and One Copy (S. Whybark)	19.50
Mini-Transcript - COMPLIMENTARY	
<i>Paid in full on 9/2/98 V# 2035 - \$550.35 and \$500 down payment</i>	
Thank you, Dorothy A. Geyer, CCR #537-72-1185	TOTAL: \$1,050.35

**Sandra
Baker &
Associates** Court Reporters
and Legal
Video Service

870 10th Lane Fox Island, Washington 98333

Tacoma 253 272 9288

Seattle 206 622 9919

Bremerton 360 373 9032

Olympia 360 352 0099

Fax 253 549 2918

BILL TO: MR. CLAYTON ERNEST LONGACRE
Attorney at Law
2501 Mile Hill Drive, Suite A102
Port Orchard, Washington 98366

BILL FOR PROFESSIONAL SERVICES

BILLING INVOICE: KB1085
DATE OF INVOICE: 9/2/98
DATE OF SERVICE: 6/15 and 6/25 1998
IN RE: Scott vs. City of Bainbridge

TRANSCRIPT: Of the deposition of Marybriit Scott
and Annieka McCullough, 361 pages \$685.90

CONDENSED/KEYWORD INDEX: (1) one each Complimentary

TOTAL DUE: \$685.90

Thank you... Kaedra Brooks, OCR

PLEASE INCLUDE INVOICE COPY WITH PAYMENT
Terms: 30
Tax Id #532 32 5805

Pdg/4/98

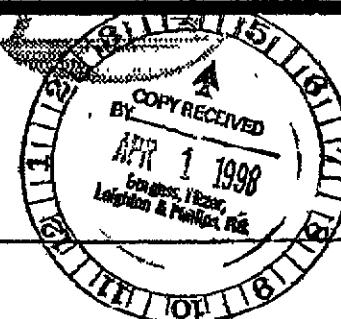
WEST SOUND LEGAL MESSENGERS

4171 WHEATON WAY * SUITE 4 * BREMERTON, WA 98310 * (206)246-8004 * (360)405-4877 PAGER

FIRM: _____ SEC: _____ DATE: 3/30/98
 COURT: US District COUNTY: Clallam Co.
 CAUSE: C97-53 CASE: Saff v. K. T. Corp
 DOCUMENTS: _____

MESSENGERLAST DAY: 4/3/98

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COUNTY:	DISTRICT:	SUPERIOR: AUDITOR: TREAS.	US DISTRICT: Bankrupt: Civil:	APPEALS: I: II:

PROCESS

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OTHER INSTRUCTIONS/INFO:

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FIRM: Lobagni SEC: Clerk DATE: 3/30/98
 COURT: US District COUNTY: Pierce
 CAUSE: CG 7-5 CASE: Scott v. Baby
 DOCUMENTS:

MESSENGER**LAST DAY:** 3/30/98

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DATE OF LIMITATIONS?**OTHER INSTRUCTIONS INFO**

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4171 WHEATON WAY * SUITE 117 * KREMERTON, WA 98330 * (206)246-8004 * (360)405-4877 PAGER

FIRM: Tongacore SEC: Class C DATE: 3/27/98
 COURT: U.S. District COUNTY: Pierce
 CAUSE: C97-532 CASE: Script v. Bandbridge
 DOCUMENTS: 13 pages

MESSENGER**LAST DAY:** 4/1/98

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OTHER INSTRUCTIONS:

WEST SOUND LEGAL MESSENGERS**4171 WHEATON WAY * SUITE 1 * BRI MERTON, WA 98310 * (206)246-8004 * (360)405-4877 PAGER**

FIRM: Voyage SEC: Clarke DATE: 2/27/98
 COURT: Civil COUNTY: Pierce
 CAUSE: C97-3346 CASE: Scott v. Badbridge Island
 DOCUMENTS: 6

MESSENDER**LAST DAY:** 2/27/98

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STATUTE OF LIMITATIONS?

OTHER INSTRUCTIONS/INFO:

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4171 WHEATON WAY * SUITE 4 * MOUNTAIN VIEW, WA 98310 * (206)246-8004 * (360)405-4877 PAGER

FIRM: Vorhone SEC: Clarke DATE: 3/12/98
 COURT: WS Dist COUNTY: Tacoma
 CAUSE: C97-5329 CASE: Scattur Pennington et al
 DOCUMENTS: See back

MESSINGER

LAST DAY: 3/12/98

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COUNTY:	DISTRICT	SUPERIOR: AUDITOR: TREAS:	US DISTRICT: Bankrupt: Civil:	APPEALS: I: II:

PROCESS

<input type="checkbox"/> SERVE	<input type="checkbox"/> POST
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STATUTE OF LIMITATIONS?

OTHER INSTRUCTIONS/INFO:

FalCorp, Ltd.
 The Ray R. Greenwood Building
 600 Kitsap Street, Suite 104
 Port Orchard, WA 98366

Invoice

DATE SEP 14 1998 INVOICE NO.
 9/11/1998 82048

BY:

REFERENCE MATTER

Marybright Scott v Bainbridge Island

Paula Horvath v King Co Police Dept

Longacre

	TERMS	DUE DATE	REP	CLIENT BILLING #		
	Net 30	10/11/1998	RCZ	Not Provided		
DESCRIPTION				QTY	RATE	AMOUNT
Special messenger service to/from Tacoma (commenced before 2:00 pm - \$30.00) (commenced after 2:00 pm - \$40.00)				1	30.00	30.00
**9/10/98 - Filed documents at US District Court in Tacoma						
File Documents **Filed original and copy with Pierce County Judge Felnagle				1	10.00	10.00

THANK YOU!! FALCORP, LTD., ESTABLISHED IN 1984, IS WEST PUGET SOUND'S
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INVOICES PAST DUE ARE ASSESSED A LATE CHARGE OF 1.5%, MINIMUM 2.00 PER
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\$ 20.00
TOTAL PAID \$40.00

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ETC.
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08-26-97 11:57
CLERK 5 0001 201

503X	20.04
COPIES T	\$20.12
TAX AMOUNT 1	\$20.12
TAX 1	\$1.63

CREDIT CARD

\$21.75

MBS/Scott

Urgent

LHMNOE

.00

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PT ORCHARD M.O. 98366
546762 33.00
LEO # 01
10-29-97 13:03:08

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109 POST VAL IMP	3.69
109 POST VAL IMP	3.69
109 POST VAL IMP	5.45

TOTAL

CHECK #012

29.18

29.18

CHANGE

Scott Sreevin 10/1

*** THANK YOU ***

CR 1427

**MAIL BOXES
ETC.
PORT ORCHARD**

New

10-24-97 14:48
CLERK 5 0001 533
134X 30.05
COPIES T \$9.20 REF 6-6
50X 30.05 17 37.50
COPIES T \$2.50
REFUND 1 7.75
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COPIES T -2.50 -12.45
TAX AMOUNT 1 \$9.20 -1
TAX 1 \$0.75 -
CREDIT CARD \$9.25

Scott

*Fax job,
Scott - Kymone*

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PT ORCHARD M.O. 98366
546762 33.00
VERN # 14
08-27-97 15:51:08

CUSTOMER RECEIPT

109 POST VAL IMP (\$3.00 x 3)	9.00
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TOTAL	9.00
CHECK #025	9.00

CHANGE	.00
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*** THANK YOU ***

*** THANK YOU ***

CLIENT COST FORM

To: Bridgette Higgins, our Cost Queen
From: Claire E. Fox
Date: 5/11/97

Paid

Please bill Marybridgett Scott in the amount of \$6.55 for the following "non-attorney costs or fees":

\$6.55 copying cost for Summons

Receipts attached? Yes No

Give to PJ to reimburse me? Yes No

Recorded

M.B Scott
Summons

Under the direction of Dr. Michael J. Sparer, the University of Michigan's Center for the Study of the Presidency and Congress has developed a new website, www.presidency.ucsb.edu, which provides scholars and students with a wealth of information about the U.S. presidency.